

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

FREDERICK BANKS,)	
Plaintiff)	
)	
vs.)	Civil Action No. 06-509
)	Judge Gary L. Lancaster/
RONALD W. HAYWARD, ESQ.; DAVID)	Magistrate Judge Amy Reynolds Hay
SHRAGER, ESQ.; SHRAGER AND)	
SHRAGER,)	
Defendants)	

ORDER

AND NOW, this 26TH day of May, 2006, after the plaintiff, Frederick Banks, filed an action in the above-captioned case, and after, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties ten days after being served with a copy to file written objections thereto, and upon consideration of the objections and supplement to objections filed by plaintiff, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that Plaintiff's Complaint is dismissed in accordance with the Prison Litigation Reform Act, 28 U.S.C. § 1915 (e)(2)(B)(ii), for failure to state a claim upon which relief can be granted under 42 U.S.C. § 1983;

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within

thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed.R.App.P.



GARY L. LANCASTER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Frederick Banks
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USP Canaan
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